

***** **UNITED STATES DISTRICT COURT** *****

NORTHERN

DISTRICT OF

NEW YORK

JUDGMENT IN A CIVIL CASE

DOCKET NO. 3:04-CV-1189 (LEK/DRH)

BETTY JO SPEAR,

Plaintiff,

-against-

**JO ANNE B. BARNHART, Commissioner
of Social Security Administration,**

Defendants.

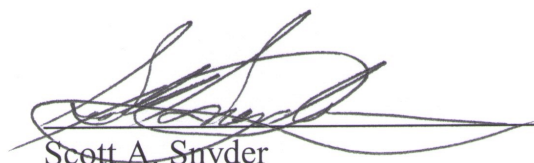
_____ **JURY VERDICT.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

_____ **XX** **DECISION by COURT.** This action came to trial or hearing before the Court. The issues have been tried and a decision has been rendered.

IT IS ORDERED and ADJUDGED that in the above entitled action, the Report-Recommendation of the Honorable David R. Homer, United States Magistrate Judge for the Northern District of New York, dated November 01, 2006, is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further **ORDERED** that the action is **DISMISSED** in its **ENTIRETY** in favor of the Defendant (the decision of the Commissioner is affirmed) and against the Plaintiff; In accordance with the **DECISION** and **ORDER** of the Honorable Lawrence E. Kahn, U.S. District Judge for the Northern District of New York, dated January 23, 2007.

DATE: January 23, 2007

LAWRENCE K. BAERMAN
CLERK OF THE COURT


Scott A. Snyder
Courtroom Deputy to the
Honorable Lawrence E. Kahn